

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA  
450 GOLDEN GATE AVENUE  
SAN FRANCISCO, CALIFORNIA 94102  
Phone: 415.522.3694



RICHARD W. WIEKING  
CLERK OF COURT

February 5, 2008

**Rosario Marinello**  
324 Hawthorne  
Salinas, CA 93901

**FILED**  
FEB X 5 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**Re: C 08-00664 EDL**

*Rosario Marinello v CA Department of Corrections and Rehabilitation*

Dear Mr. Marinello:

This matter has been assigned to Magistrate Judge Elizabeth D. Laporte for all purposes including trial.

The magistrate judges of this district have been designated to conduct any and all proceedings in a civil case including a jury or nonjury trial and to order the entry of a final judgment, upon the consent of all parties.

A review of the file discloses that the Consent to Proceed Before a United States Magistrate has not been filed in this case. Please select **one** of the attached forms documenting your consent **or** request for reassignment and file it with the Court by **February 15, 2008**. These forms can also be found on the Court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

Thank you.

RICHARD W. WIEKING

By:

*Eli M. Harrell*  
Eli M. Harrell  
Deputy Clerk

Attachments

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**ROSARIO MARINELLO**

Plaintiff,

No. C **08-00664** EDL

v.

**CONSENT TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE**

**CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,**

Defendant.

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party in the above-captioned civil matter hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Counsel for \_\_\_\_\_  
(Name or party or indicate "pro se")

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROSARIO MARINELLO,

Plaintiff,

No. C 08-00664 EDL

v.

**DECLINATION TO PROCEED BEFORE  
A MAGISTRATE JUDGE  
AND  
REQUEST FOR REASSIGNMENT TO  
A DISTRICT JUDGE,**

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,

Defendant.

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party in the above-captioned civil matter hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: \_\_\_\_\_

Signature \_\_\_\_\_

Counsel for \_\_\_\_\_  
(Name or party or indicate "pro se")